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**OPINIONS AND DECLARATIONS  
RENDERED BY THE INTER-  
NATIONAL COMMISSION ON  
ZOOLOGICAL NOMENCLATURE**

*Edited by*

**FRANCIS HEMMING, C.M.G., C.B.E.**  
Secretary to the Commission

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**OPINION 146**

Suspension of the rules for *Colias* Fabricius,  
1807 (Insecta, Lepidoptera)

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# INTERNATIONAL COMMISSION ON ZOOLOGICAL NOMENCLATURE

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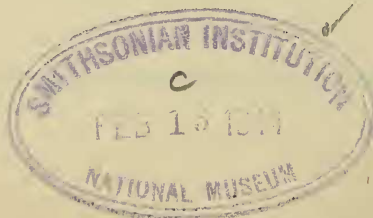
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\* This vacancy was caused by the death on 23rd May, 1939, of Dr. Witmer STONE (U.S.A.).

† This vacancy was caused by the death on 24th January, 1941, of Dr. Charles Wardell STILES (U.S.A.), *Vice-President of the Commission* and former Secretary to the Commission (1897-1935).



## OPINION 146.

### SUSPENSION OF THE RULES FOR *COLIAS* FABRICIUS, 1807 (INSECTA, LEPIDOPTERA).

**SUMMARY.**—Under suspension of the rules *Papilio hyale* Linnaeus, 1758, is hereby designated as the type of *Colias* Fabricius, 1807, and that name, so defined, is hereby added to the *Official List of Generic Names in Zoology*.

#### I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee<sup>1</sup> of the Society's Committee on Generic Nomenclature,<sup>2</sup> regarding the generic names of certain of the British Lepidoptera,<sup>3</sup> as respects to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*), to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names in question. One of these names was *Colias* Fabricius, 1807 (*Mag. f. Insektenk.* (Illiger) 6 : 284).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

<sup>1</sup> This Sub-Committee was then composed as follows :—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

<sup>2</sup> This Committee was then composed as follows :—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

<sup>3</sup> The other genera referred to in this communication were *Argynnis* Fabricius, 1807, *Vanessa* Fabricius, 1807, and *Strymon* Hübner, 1818. For the decisions of the International Commission on these cases, see *Opinions* 156 (*Vanessa* Fabricius), 161 (*Argynnis* Fabricius), and 165 (*Strymon* Hübner).

## COLIAS Fabricius

- Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6: 284  
 Latreille, 1810, *Consid. gén. Anim. Crust. Ins.*: 440  
 Swainson, 1820, *Zool. Illustr.* (1) 1: pl. 5  
 Curtis, 1829, *Brit. Entom.* 6: pl. 242  
 Butler, 1870, *Cist. ent.* 1: 43  
 Scudder, 1872, 4th *Ann. Rep. Peabody Acad. Sci.* 1871: 59

Latreille (1810) fixed the type of this genus (which he called by the French and Latin names "Coliade" and *Colias*) as *Colias rhamni* Fab. (i.e. *Papilio rhamni* Linn.), which was one of the original species given by Fabricius. The next author to fix a type for this genus was Swainson, who in 1820 specified *Papilio eubule* Linn. (which he mis-spelt *ebule*). This selection could in no circumstances be valid, as *Papilio eubule* Linn. was not one of the five species given by Fabricius in 1807. In 1829, Curtis specified *Papilio hyale* Linn. as the type. This is one of Fabricius's original species, and its selection as the type would be perfectly valid, were it not for Latreille's action in 1810 in selecting *Papilio rhamni* Linn. as the type. Later, Butler (1870) and Scudder (1872) selected *Papilio palaeno* Linn. as the type. This selection would be invalid owing to Curtis's action, quite apart from that of Latreille.

The name *Colias* Fab. has been universally used throughout its history for the "Clouded Yellows" of English, and the "Sulphurs" of American, lepidopterists (i.e. for *Papilio hyale* Linn. and its congeners) and except for the few species described in the eighteenth century under the name *Papilio* Linn. every species of "Clouded Yellow", European and American alike, has been described under the name *Colias* Fab. Strict adherence to the provisions of the International Code of Zoological Nomenclature would, however, remove the name *Colias* Fab. from these species and would transfer it to *Papilio rhamni* Linn. and its congeners. This transfer would be highly inexpedient, as *Papilio rhamni* Linn. has been universally assigned for over a century to *Gonepteryx* Leach, which would fall as a synonym of *Colias* Fab. Nor is this the only inconvenience attaching to such a transfer, as if the "Clouded Yellows" were deprived of the name *Colias* Fab., there is no generic name to which they could be unequivocally assigned, and for this reason. The next name which might be allotted to them is *Zerene* Hübn. The type of that genus is *Papilio cesonia* Stoll, 1790, which in 1863 Reakirt separated generically from *Papilio hyale* Linn. and the other "Clouded Yellows" under the name *Megonostoma*. Since that date, most American lepidopterists have accepted Reakirt's view that the two groups are generically distinct from one another. The question is, however, by no means clear. Thus, Godman and Salvin (1889, *Biol. Cent.-Amer. Lep.-Rhop.* 2: 151) gave their reasons for considering that there were no structural characters by which *Papilio cesonia* Stoll could be separated from the "Clouded Yellows" which they assigned to *Colias* Fab. More recently, Klots (1931, *Ent. News* 42: 255) has expressed the opinion that, at most, *Zerene* Hübn. (type *Papilio cesonia* Stoll) can only be separated in a subgeneric sense from the "Clouded Yellows". Though he realised that by the strict letter of the Code *Colias* Fab. was not available for the "Clouded Yellows", he took the view that it was undesirable to disturb the long-established usage of this name and decided to apply it to those species.

Other American lepidopterists (e.g. Barnes and Benjamin, 1926, *Bull. S. Calif. Acad. Sci.* 25: 8) have applied the name *Eurymus* Horsf., 1829, (which some authors have wrongly attributed to Swainson) to *Papilio hyale* Linn. and the other "Clouded Yellows". Holland has, however, pointed out (1930, *Ann. Carnegie Mus.* 19: 198, 200) that this name cannot possibly be employed for these species as it is a homonym of *Eurymus* Rafinesque, 1815. Those entomologists who (a) accept *Papilio rhamni* Linn. as the type of *Colias* Fab. and (b) regard *Papilio cesonia*

Stoll as generically distinct from *Papilio hyale* Linn. are driven to use the name *Scalidoneura* Butler, 1871 (type *Scalidoneura hermina* Butler, 1871, a species discovered in eastern Peru) for *Papilio hyale* Linn. and the other "Clouded Yellows".

For the reasons given above, the strict application to *Colias* Fab. of the rules laid down in the International Code of Zoological Nomenclature would, in my opinion, produce a state of confusion of the very type which the International Zoological Congress had in mind when they invested the International Commission on Zoological Nomenclature with plenary powers to suspend the rules in cases where their strict application would clearly result in greater confusion than uniformity.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of their plenary powers the International Commission on Zoological Nomenclature should as soon as possible render an *Opinion* to the following effect:—

*Opinion 11* regarding the designation of genotypes by Latreille, 1810, shall not be interpreted to mean that in the work referred to in that *Opinion* Latreille designated *Papilio rhamnii* Linn., 1758, as the type of *Colias* Fab. Consequently, the fixation by Curtis in 1829 of *Papilio hyale* Linn., 1758, as the type of that genus is valid and the name *Colias* Fab. as thus defined is hereby added to the *Official List of Generic Names*.

These conclusions were concurred in by the Lepidoptera Sub-Committee by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Society to approach the International Commission in the sense indicated above. It was in accordance with this recommendation that the Council addressed to the Commission the letter referred to in paragraph 1 above.

## II.—THE SUBSEQUENT HISTORY OF THE CASE.

4. Before the Commission had time to take any action on this case, they received a letter on the same subject (dated 17th May 1934) from Dr. J. Mc. Dunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract:—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist". You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure. . . .

The following is an extract from the note referred to above :—

ON THE STABILIZING OF FOUR GENERIC NAMES  
(Lepid. : Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Committee on Generic Nomenclature of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows<sup>4</sup> :

. . . . . *Colias* Fabr. (*P. hyale* Linn.).

Welcoming any action that would assist in stabilizing generic Nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

J. Mc. Dunning, Entom. Br., Dept. of Agriculture, Ottawa, Canada.  
May 15, 1934.

Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.

John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles,  
Calif. Apr. 26, 1934.

Wm. T. M. Forbes, Dept. of Entomology, Cornell U., Ithaca, N.Y. Apr.  
17, 1934.

Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Phila-  
delphia, Pa. Apr. 17, 1934.

E. Irving Huntington, 155 East 90th St., New York, N.Y. April 21, 1934.

Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.

Frank E. Watson, Amer. Mus. Nat. Hist., N.Y. City. Apr. 23, 1934.

C. H. Curran, Amer. Mus. Nat. Hist., N.Y. City. Apr. 23, 1934.

Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.

Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr.  
24, 1934.

5. As a first step the Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the Committee agreed to recommend that the International Commission on Zoological Nomenclature should take such action under their plenary powers as might be necessary to secure that the type of *Colias* Fabricius, 1807, should be *Papilio hyale* Linnaeus, 1758.

<sup>4</sup> For the names of the other genera referred to in this communication, see footnote 3.

6. This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

### III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

7. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9) that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the genus *Colias* Fabricius, 1807, was one of the cases in question and was accordingly dealt with by the Commission at Lisbon under the above procedure.

8. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed<sup>5</sup> :—

<sup>5</sup> Only those portions of Conclusion 22 which relate to the present case are here quoted. For the full text of Conclusion 22, see, 1943, *Bull. zool. Nomencl.* 1 : 20-23.

- (a) to "suspend the rules" in the case of the following generic names:—

.....

(vii) *Colias* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6: 284;

.....

- (h) to declare that the type of *Colias* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6: 284, is *Papilio hyale* Linnaeus, 1758, *Syst. Nat.* (ed. 10): 469;

- (i) to add the generic names . . . *Colias* Fabricius, 1807, to the *Official List of Generic Names*, with the types indicated above;

.....

- (l) to render *Opinions* in the sense of (a) to (l) above.

9. The foregoing decisions in regard to the name *Colias* Fabricius were embodied in paragraph 28 of the report which at their meeting held on the morning of Wednesday, 18th September 1935 (Lisbon Session, 5th Meeting, Conclusion 6) the Commission unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

10. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 7 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution<sup>6</sup> adopted by the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity. In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed

<sup>6</sup> For the text of this Resolution, see *Declaration 5*.



to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

11. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.  
 Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

12. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

#### IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION.*

WHEREAS the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the said rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution

adopted by the Ninth International Congress of Zoology at its Meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Forty Six (*Opinion* 146) of the said Commission.

In faith whereof, I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this third day of March, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission  
on Zoological Nomenclature.*

FRANCIS HEMMING

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- OPINION 148. On the principles to be observed in interpreting Articles 25 and 34 of the International Code in relation to the availability of generic names proposed as emendations of, or as substitutes for, earlier generic names of the same origin and meaning.
- OPINION 149. Twenty-one names in the Orthoptera (Insecta) added to the *Official List of Generic Names in Zoology*.
- OPINION 150. On the dates of publication of the several portions of Hübner (J.), *Verzeichniss bekannter Schmettlinge* [sic], 1816-[1826].
- OPINION 151. On the status of the names *Lasius* Panzer, [1801-1802], *Podalirius* Latreille, 1802, *Lasius* Fabricius, [1804-1805] and *Anthophora* Latreille, 1803 (Insecta, Hymenoptera).
- OPINION 152. On the status of the generic names in the Order Diptera (Insecta) first published in 1800 by J. W. Meigen in his *Nouvelle Classification des Mouches à deux ailes*.
- OPINION 153. On the status of the names *Bethylus* Latreille, [1802-1803], and *Dryinus* Latreille, [1804] (Insecta, Hymenoptera).
- OPINION 154. On the status of the names *Phaneroptera* Serville, 1831, and *Tylopsis* Fieber, 1853 (Insecta, Orthoptera).
- OPINION 155. On the status of the names *Callimome* Spinola, 1811, *Misocampe* Latreille, 1818, and *Torymus* Dalman, 1820 (Insecta, Hymenoptera).
- OPINION 156. Suspension of the rules for *Vanessa* Fabricius, 1807 (Insecta, Lepidoptera).
- OPINION 157. Three names in the Hymenoptera (Insecta) added to the *Official List of Generic Names in Zoology*.
- OPINION 158. On the status of the name *Locusta* Linnaeus, 1758 (Insecta, Orthoptera).

All orders for, and inquiries in regard to, the publications of the Commission should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7.

## AN URGENT APPEAL FOR A FUND OF £1800 TO ENABLE THE INTERNATIONAL COMMISSION TO CONTINUE ITS WORK

The International Commission on Zoological Nomenclature urgently appeal for grants to the above Fund to Museums, Research Institutes and other Institutions concerned with any branch of zoology ; to Learned Societies and Associations concerned with any aspect of zoology ; to Institutions and Learned Societies in the fields of Agriculture, Horticulture, Medicine and Veterinary Science, all of whom have a direct interest in that portion of the work of the Commission which is concerned with the stabilisation of Zoological Nomenclature ; to University and other Departments engaged in the teaching of zoology as being directly interested to secure stability in the scientific nomenclature used in biological text-books ; and to every individual zoologist who may be in a position to contribute to the funds of the Commission. Full particulars of the purposes for which the above Fund is required are given in Part 2 of the *Bulletin of Zoological Nomenclature*.

Contributions of any amount, however small, will be most gratefully received. They should be addressed to the Commission at their Publications Office, 41, Queen's Gate, London, S.W.7. Bankers' drafts, cheques, and Postal Orders, should be made payable to the "International Commission on Zoological Nomenclature" and crossed "Account payee. Coutts & Co."